

STATE OF MAINE  
PUBLIC UTILITIES COMMISSION

Docket No. 2002-514

October 8, 2002

KAREN CAOLA  
Appeal of Consumer Assistance  
Division Decision #2002-13565  
Regarding Verizon Maine

ORDER

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WELCH, Chairman; NUGENT and DIAMOND, Commissioners

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**I. SUMMARY**

We uphold the August 22, 2002 decision of the Consumer Assistance Division (CAD) concerning installation of service to Verizon customer Karen Caola.

**II. BACKGROUND**

On August 14, 2002, Ms. Caola called CAD concerning problems she had getting Verizon to install telephone service to her new residence. Service was not installed on August 12, 2002 as had been scheduled by Verizon. In the meantime, Ms. Caola was inconvenienced and incurred charges on her cell phone. After CAD intervened, Verizon installed service on August 14, 2002. CAD's investigation revealed a series of miscommunications and Verizon's reliance on incorrect information as the cause of the delay. Verizon did agree to waive the installation fee and provided credit for one week's service. CAD found it was unable to award any other compensation to Ms. Caola.

Ms. Caola appealed CAD's decision to the Commission on August 29, 2002. Ms. Caola's appeal letter describes her frustration and inconvenience in waiting for service for two days and asks that Verizon "take responsibility for their mistakes and actions."

**III. DECISION**

We find that CAD properly resolved this dispute. Verizon had incorrect information about existing lines at the residence and provided incorrect information to the customer. As soon as it discovered the error, service was installed, although it was two days late. We recognize the frustration and inconvenience caused Ms. Caola. However, Verizon's financial compensation to Ms. Caola appears to be reasonable given the circumstances. We further note that on-time service installations is one of the performance metrics monitored by the Commission. If Verizon does not meet certain performance levels based on annual statewide installations, it is subject to monetary penalties.

Dated at Augusta, Maine, this 8<sup>th</sup> day of October, 2002.

BY ORDER OF THE COMMISSION

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Dennis L. Keschl  
Administrative Director

COMMISSIONERS VOTING FOR:      Nugent  
   Diamond

COMMISSIONER ABSENT:              Welch

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5 M.R.S.A. § 9061 requires the Public Utilities Commission to give each party to an adjudicatory proceeding written notice of the party's rights to review or appeal of its decision made at the conclusion of the adjudicatory proceeding. The methods of review or appeal of PUC decisions at the conclusion of an adjudicatory proceeding are as follows:

1. Reconsideration of the Commission's Order may be requested under Section 1004 of the Commission's Rules of Practice and Procedure (65-407 C.M.R.110) within 20 days of the date of the Order by filing a petition with the Commission stating the grounds upon which reconsideration is sought.
2. Appeal of a final decision of the Commission may be taken to the Law Court by filing, within **21 days** of the date of the Order, a Notice of Appeal with the Administrative Director of the Commission, pursuant to 35-A M.R.S.A. § 1320(1)-(4) and the Maine Rules of Appellate Procedure.
3. Additional court review of constitutional issues or issues involving the justness or reasonableness of rates may be had by the filing of an appeal with the Law Court, pursuant to 35-A M.R.S.A. § 1320(5).

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